IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 30 OF 2006

SHRI VIJAY MALI, VASCO DA GAMA. ....Petitioner

Versus

THE DIRECTOR GENERAL AND 5 ORS., ...Respondents

S/Shri D.P.Bhise and K.V.Divkar, Advocates for the petitioner.

Shri C.A.Ferreira, Asstt. Solicitor General for respondent No.5.

Coram:- R.M.S. KHANDEPARKAR &
N. A. BRITTO, JJ.

Date:- 1st February, 2006

P.C.

Heard. The petitioner challenges the order of transfer from Vasco to Tarapore. Apart from mere allegation of mala fide and arbitrary exercise of powers, the petition nowhere discloses any fact or material which could justify such allegation against the respondents in relation to the transfer of the petitioner. Being so, in the absence of mala fide or arbitrary exercise of powers on the part of the respondents in transfer of the petitioner from Vasco to Tarapore, Atomic Power Centre, Mumbai, being disclosed, the question of interference in writ jurisdiction in the impugned order of transfer does not arise and hence the petition is rejected.

2. The request by the learned advocate for the petitioner for extension of joining period to two weeks instead of 10 days is objected to by the respondents on the ground of requirement of the petitioner at the transferred place from the security point of view. In the circumstances, therefore, the question of acceeding to such a request also does not arise. However, for any reason, in case there is delay of 3-4 days in joining the transferred place at Tarapore, Atomic Power Centre, Mumbai, by the

petitioner, then such delay shall be sympathetically considered by the respondents. With these observations, the petition is rejected.

R.M.S. KHANDEPARKAR, J.

N. A. BRITTO, J.

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